

*Over a four-year period, agencies are to eliminate the buying, selling, and distribution of all non-medical single-use plastic and expanded polystyrene products not included in the cessation with products that are reusable, compostable or recyclable. Some of the objects currently used could already meet the requirement for alternatives. The schedule is a **25 percent reduction by volume each year**.*

What should agencies do in instances where they have a large amount of plastic items subject to the phase-out already in stock?

One of the goals of the EO is to “ensure that the Commonwealth does not exceed the capacity of existing landfills and incinerators,” so agencies should not dispose of unused plastic items already on hand. In such situations, agencies should use their existing inventory and if that cannot be accomplished by December 31, 2022, those items should be declared surplus and sent to the Department of General Services’ Office of Surplus Property (OSPM) management per the DGS/DPS ASPSM (<https://dgs.virginia.gov/procurement/policy-consulting--review/policy/>).

Are bio-based plastics considered appropriate alternatives for single-use plastics?

Only if the bio-based plastic is compostable. Not all bio-based plastics are able to be composted. DEQ will work with DGS and other agencies to support the identification of compostable alternatives.

What is an appropriate alternative replacement item?

To be determined an appropriate alternative replacement item, an item must be reusable, compostable, or recyclable.

Reusable means that the item can be used multiple times for its intended purpose.

Compostable means that the item will degrade into natural elements in either a purpose-built composting bin or within 180 days at a commercial composting facility.

Recyclable means that there is a reasonable expectation that the item will be recycled and that the agency has taken proactive steps to ensure the item will be recycled and keep the alternative out of a landfill or from becoming litter. If an agency elects to use a recyclable item as an appropriate alternative item, the agency must explain in its plan how it will collect the item and send it to be recycled.

Note that for items identified under the cessation of use list, recyclable plastics are not acceptable alternatives.

Are plastic beverage cups with special designs sold as souvenir cups part of the phase-out plan?

Reusable plastic cups that are actually intended for reuse would not be covered by the phase-out plan. Example: Vendor sells soda in a souvenir cup that can be brought back and refilled at a discount. If the vendor does not have a plan to refill the souvenir cups, they **cannot** be considered reusable.

Will there be additional guidance regarding specific types of plastics included/excluded in the phase-out, such as PET, HDPE, PVC, LDPE, PP, PS, nylon and mixed materials?

All types of plastics, and items containing plastic, are included in the phase-out. Acceptable alternatives for non-cessation items included items that are reusable, compostable, or recyclable. One goal of the EO is to remove all plastic from the state's waste stream to reduce the amount of solid waste that ends up in a landfill or in the environment as litter. DEQ will provide guidance regarding best practices to help agencies ensure recyclable and compostable items are recycled or composted appropriately instead of ending up in landfills.

Are there items purchased for resale, such as food and beverage items (e.g., yogurt containers, milk containers, bottled beverages other than water), cosmetics and office supplies that are prepackaged in plastic included in the phase-out?

Yes, these items are in the phase-out. Acceptable alternatives for items that the phase-out applies to include items that are reusable, compostable or recyclable. Plastic food and beverage containers that contain prepared foods are included in the cessation of use.

For the plastics to be phased-out, alternatives are defined as either reusable, compostable or recyclable. Does this include recyclable plastics? Plastics numbered from 1 to 7 or just number 1 or 2?

Recyclable means that there is a reasonable expectation that the item will be recycled and that the agency has taken proactive steps to ensure the item will be recycled and keep the alternative out of a landfill or from becoming litter. If an agency elects to use a recyclable item as an appropriate alternative item, the agency must explain in its plan how it will collect the item and send it to be recycled.

What is recyclable will vary by location because different materials are recyclable in different areas of the Commonwealth depending on recycling infrastructure. Agencies will need to research financially feasible recycling opportunities that are available to them.

Note that for items identified under the cessation of use list, recyclable plastics are not acceptable alternatives.

Can employees bring in their own single-use water bottles/sodas to the workplace?

The EO does not prohibit employees from bringing materials into the workplace. However, agencies should encourage employees to use reusable containers. Agencies will be required to consider bottles brought on site when developing their plastics and solid waste reduction plan.

How is plastic packaging associated with items that are ordered by an agency/university to be addressed in the EO?

Plastic packaging materials purchased for use by an agency/university are covered by the planned phase-out in the EO which requires alternatives to be reusable, recyclable or compostable.

EO 77: Plastics Phase-Out

FACT SHEET

Plastic packaging received when an agency/university purchases an item is not included in the planned phase-out of the EO. However, as this material is plastic that may end up in the waste stream or in the environment, it is covered by the solid waste reduction planning requirements included in the EO.